



International Covenant on  
Civil and Political Rights

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MEETING OF THE STATES PARTIES TO THE INTERNATIONAL  
COVENANT ON CIVIL AND POLITICAL RIGHTS

Eighteenth Meeting

SUMMARY RECORD OF THE 24th MEETING

Held at Headquarters, New York,  
on Thursday, 10 September 1998, at 10 a.m.

Temporary Chairman: Mr. CORELL  
(Representative of the Secretary-General)

Chairman: Mr. ENKHS AIKHAN (Mongolia)

CONTENTS

OPENING OF THE MEETING BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL OF THE  
UNITED NATIONS

ELECTION OF THE CHAIRMAN

ADOPTION OF THE AGENDA

ELECTION OF OTHER OFFICERS

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Any corrections to the record of this Meeting will be issued in a corrigendum.

CONTENTS (continued)

ELECTION, IN ACCORDANCE WITH ARTICLES 28 TO 32 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, OF NINE MEMBERS OF THE HUMAN RIGHTS COMMITTEE, FOR A TERM OF FOUR YEARS

ELECTION, IN ACCORDANCE WITH ARTICLES 28 TO 34 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, TO FILL A VACANCY IN THE HUMAN RIGHTS COMMITTEE, FOR THE REMAINDER OF A TERM EXPIRING ON 31 DECEMBER 2000

CLOSURE OF THE MEETING

The meeting was called to order at 10.10 a.m.

OPENING OF THE MEETING BY THE REPRESENTATIVE OF THE SECRETARY-GENERAL OF THE UNITED NATIONS

1. The TEMPORARY CHAIRMAN, speaking on behalf of the Secretary-General, declared open the Eighteenth Meeting of the States Parties to the International Covenant on Civil and Political Rights.
2. He informed the participants that 140 States had ratified, or acceded or succeeded to, the International Covenant; of that number, 92 had ratified or acceded to the first Optional Protocol, 33 had ratified or acceded to the second Optional Protocol, and 45 had made the declaration under article 41.
3. During its sixty-first, sixty-second and sixty-third sessions, the Human Rights Committee had examined 16 reports submitted to it by States parties under article 40 of the Covenant. The Committee, however, had faced growing difficulties with respect to the submission of initial, periodic or special reports, and at each of its sessions had expressed concern at the increasing number of overdue reports. At its July 1998 session, the Committee had noted that reports from 86 States parties were outstanding; that trend hampered the ability of the Committee to monitor implementation of the Covenant's provisions in many States parties.
4. The Committee had also adopted a general comment on issues relating to the continuity of obligations under the Covenant and had begun its discussion of a draft general comment on freedom of movement. Further agreement had been reached that an earlier general comment on article 3 of the Covenant concerning non-discrimination against women should be updated as soon as possible to reflect developments in the Committee's jurisprudence and as follow-up to the Fourth World Conference on Women. The Committee would also initiate work with regard to new general comments on articles 2, 4, 21 and 22 of the Covenant.
5. On 23 October 1997, Jamaica had denounced the Optional Protocol pursuant to article 12. Its denunciation had become effective on 23 January 1998. On 26 May 1998, Trinidad and Tobago had denounced the Optional Protocol and reacceded with reservations with effect from 26 August 1998.
6. During the period under review, the Committee had adopted a number of final decisions under the first Optional Protocol, including 27 views. It was a matter of great satisfaction to the Committee that an increasing number of judicial instances at the highest level within States parties had begun to refer to its decisions in their judgements. The Committee had also devoted particular attention to the procedure under which it monitored follow-up to its decision under the Optional Protocol and had adopted a number of measures to improve its effectiveness.

ELECTION OF THE CHAIRMAN

7. Mr. SAGUIER CABALLERO (Paraguay) nominated Mr. Enkhsaikhan (Mongolia) for the office of Chairman.

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8. Mr. Enkhsaikhan (Mongolia) was elected Chairman by acclamation.
9. Mr. Enkhsaikhan (Mongolia) took the Chair.

ADOPTION OF THE AGENDA (CCPR/SP/52)

10. The agenda was adopted.

ELECTION OF OTHER OFFICERS

11. The CHAIRMAN said that he had been informed that Mr. Boisson (Monaco) had been nominated by the Group of Western European and Other States and Mr. Yel'chenko (Ukraine) had been nominated by the Group of Eastern European States to serve as Vice-Chairmen.

12. Mr. Boisson (Monaco) and Mr. Yel'chenko (Ukraine) were elected Vice-Chairmen by acclamation.

ELECTION, IN ACCORDANCE WITH ARTICLES 28 TO 32 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, OF NINE MEMBERS OF THE HUMAN RIGHTS COMMITTEE, FOR A TERM OF FOUR YEARS (CCPR/SP/51 and Add.1-4)

13. The CHAIRMAN said that document CCPR/SP/51 and Add.1-4 contained the names and curricula vitae of the candidates nominated by States parties to fill the nine vacancies on the Human Rights Committee. He also drew attention to article 30, paragraph 4, and article 31 of the Covenant, which concerned the election of members of the Human Rights Committee.

14. He invited representatives to elect by secret ballot nine members of the Human Rights Committee.

15. At the invitation of the Chairman, Mr. Bijou (Costa Rica) and Mr. Peters (Netherlands) acted as tellers.

16. A vote was taken by secret ballot.

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|------------------------------------------|-----|
| <u>Number of ballot papers:</u>          | 134 |
| <u>Invalid ballots:</u>                  | 0   |
| <u>Number of valid ballots:</u>          | 134 |
| <u>Number of representatives voting:</u> | 134 |
| <u>Required majority:</u>                | 68  |
| <u>Number of votes obtained:</u>         |     |
| Mr. Amor (Tunisia)                       | 98  |
| Mr. Ando (Japan)                         | 94  |

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|---------------------------------------------|----|
| Ms. Chanet (France)                         | 92 |
| Mr. Buerghenthal (United States of America) | 82 |
| Mr. Klein (Germany)                         | 82 |
| Ms. Medina Quiroga (Chile)                  | 74 |
| Mr. Kretzmer (Israel)                       | 69 |
| Mr. Bhagwati (India)                        | 68 |
| Mr. Kolosov (Russian Federation)            | 66 |
| Mr. Solari Yrigoyen (Argentina)             | 64 |
| Mr. de Silva (Sri Lanka)                    | 62 |
| Mr. El-Shafei (Egypt)                       | 61 |
| Mr. Bichr (Morocco)                         | 43 |
| Mr. Glèlè Ahanhanzo (Benin)                 | 43 |
| Mr. Al Tarawneh (Jordan)                    | 42 |
| Mr. Imbiki (Madagascar)                     | 40 |
| Mr. Nahum (Ethiopia)                        | 35 |
| Mr. Maema (Lesotho)                         | 31 |
| Mr. Iloki (Republic of Congo)               | 18 |

17. Having obtained the required majority, Mr. Amor (Tunisia), Mr. Ando (Japan), Mr. Bhagwati (India), Mr. Buerghenthal (United States of America), Ms. Chanet (France), Mr. Klein (Germany), Mr. Kretzmer (Israel) and Ms. Medina Quiroga (Chile) were elected members of the Human Rights Committee for a four-year term beginning on 1 January 1999.

18. The CHAIRMAN said that only eight candidates had obtained the required majority. Under rule 15 of the rules of procedure, he invited representatives to elect a ninth member of the Human Rights Committee in a second ballot. As Mr. Kolosov (Russian Federation) and Mr. Solari Yrigoyen (Argentina) had obtained the largest number of votes in the previous ballot, the second ballot would be restricted to those two candidates.

19. A vote was taken by secret ballot.

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|---------------------------------|-----|
| <u>Number of ballot papers:</u> | 134 |
| <u>Number of valid ballots:</u> | 134 |

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|                                          |     |
|------------------------------------------|-----|
| <u>Number of representatives voting:</u> | 134 |
| <u>Required majority:</u>                | 68  |
| <u>Number of votes obtained:</u>         |     |
| Mr. Solari Yrigoyen (Argentina)          | 69  |
| Mr. Kolosov (Russian Federation)         | 65  |

20. Having obtained the required majority, Mr. Solari Yrigoyen (Argentina) was elected a member of the Human Rights Committee for a four-year term beginning on 1 January 1999.

ELECTION, IN ACCORDANCE WITH ARTICLES 28 TO 34 OF THE INTERNATIONAL COVENANT ON CIVIL AND POLITICAL RIGHTS, TO FILL A VACANCY IN THE HUMAN RIGHTS COMMITTEE, FOR THE REMAINDER OF A TERM EXPIRING ON 31 DECEMBER 2000 (CCPR/SP/51 and CCPR/SP/53\*)

21. The CHAIRMAN said that document CCPR/SP/51 contained biographical information on the candidate submitted by Poland, Mr. Wieruszewski, to fill the vacancy on the Human Rights Committee caused by the resignation of Mr. Türk (Slovenia) for the remainder of a term expiring on 31 December 2000.

22. Mr. ARIAS (Spain) proposed that, there being no other nominations for the vacancy, the Meeting should elect the candidate by acclamation.

23. Mr. Wieruszewski (Poland) was elected a member of the Human Rights Committee by acclamation.

#### CLOSURE OF THE MEETING

24. The CHAIRMAN declared the Eighteenth Meeting of the States Parties to the International Covenant on Civil and Political Rights closed.

The meeting rose at 12.55 p.m.